

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Bakulesh M. KHAMAR

Serial No.: 10/565,211

Filing Date: March 11, 2003

For: PROCESS FOR MANUFACTURING
PHARMACEUTICAL COMPOSITION
COMPRISES OF MYCOBACTERIUM W
IN THE TREATMENT OF ASTHMA
(OBSTRUCTIVE LUNG DISEASE)

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO/SB/08a/b were cited in an International Search Report mailed on August 12, 2003, directed to a counterpart international application and have not been previously cited.

This Information Disclosure Statement is submitted within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

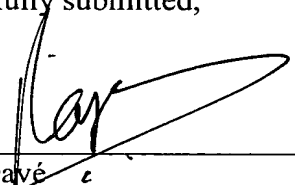
Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 574152000400.

Dated: May 1, 2006

Respectfully submitted,

By 
Raj S. Dave

Registration No.: 42,465
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7755

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/565,211
				Filing Date	March 11, 2003
				First Named Inventor	Bakulesh M. KHAMAR
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	574152000400

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1.	Hopfenspirger, M. T. et al. (2001). "Mycobacterial Antigens Attenuate Late Phase Response, Airway Hyperresponsiveness, and Bronchoalveolar Lavage Eosinophilia In A Mouse Model of Bronchial Asthma," <i>International Immunopharmacology</i> 1(9-10):1743-1751, Abstract, retrieved from EPOQUE Medline Database, AN: NLM11562066.	
	2.	Pherwani, A. V. et al. (1992). "Bronchial Challenge with Purified Protein Derivative of Mycobacterium Tuberculosis in Asthma," <i>Indian Pediatrics</i> 29(7):867-870, Abstract, retrieved from EPOQUE Medline Database, AN: NLM1428135.	
	3.	Suzuki, N. et al. (2001). "Can Mycobacterium Tuberculosis Infection Prevent Asthma and Other Allergic Disorders?" <i>International Archives of Allergy and Immunology</i> 124(1-3):113-116.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--